



CONCLUSIONS

AP refers to Action Points listed at the end of this document

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12. MTJ - Michael Turner-Jones (Lonmin, South Africa)
13. CV - Chantre Viviers (Heraeus, Germany)
14. HW - Hugo Waeterschoot (HW Consult, Belgium)
15. PW - Paul Whitehead (WCA, United Kingdom)

APOLOGIES:

- Cas Badenhorst (AngloPlatinum, South Africa)
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AGENDA:

1. 24h and 7d T/D test results from ECTX
2. Annex VII (eco-)toxicity testing waiving strategy
3. Latest developments on strictly controlled conditions
4. Overall PM Refinables project progress: CLP physico-chemical tests and preparation of classification clusters
5. Coverage of primary streams
6. Next meeting

1. 24h and 7d T/D test results from ECTX

Results of the 24h and 7d T/D tests have been received from ECTX (Annex 1). HW summarised the meaning of these results and associated next steps (Annex 2). The strategy document of the PM Refinables Project was updated with the content of the discussion and agreed next steps (Annex 3) **AP1, AP2, AP3**. This document will be further updated after the next PM Refiners WG meeting in September 2010, in order to include the 28d T/D test and CLP physico-chemical test results.

2. Annex VII (eco-)toxicity testing waiving strategy

Most of the Non-Ferrous Metals consortia having to prepare registration dossiers for complex UVCB intermediates such as the PM Refinables ones have developed an approach whereby an adequate characterisation and classification of their intermediates on the basis of their composition would make the conduct of Annex VII (eco-)tox tests not relevant (Annex 4). This has been shared informally with the ECHA who fully supports the use of T/D test results to derive environmental classification instead of proceeding to unnecessary testing. On the toxicological endpoints however, ECHA has more reservations that need to be addressed by the Industry.



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Eurométaux, under the leadership of Violaine Verougstraete, will therefore generate a standard best practice guidance document that will be used by all NFM consortia when justifying their approach towards an Annex VII test-free classification in the individual IUCLID 5.2 files. Such a document should become available by mid August.

3. Latest developments on strictly controlled conditions

Political pressure on Members States has increased over the last months as regards the interpretation and implementation of REACH requirements towards the strict controlled conditions requirement of intermediates. While the use of personal protective equipment (PPE) was not regarded as a lack of strict control for specific tasks such as sampling, loading and unloading, bagging, cleaning, maintenance, etc. authorities are now moving in a direction where the use of PPE in any circumstance would be a clear evidence of absence of strict control.

An agreement has been reached with the ECHA to adjust the Guidance on Intermediates after the first registration deadline, in order to allow early registrants to progress with their registration obligations without having to cope with last minute changes. Such early registrants would then be in a position of updating their Registration Dossiers after these are submitted and on the basis of a confirmed guidance.

On the basis of these latest developments, PMC Members are therefore recommended to **AP4**:

For intermediates undergoing registration in 2010:

- Properly document strictly controlled conditions as per existing guidance in house and make these available on request to national REACH Competent Authorities.
- Actively communicate this likely change to their downstream users and customers.
- Jointly develop a strategy for reviewing the intermediates Registration Dossiers submitted in 2010 in order to adjust them in light of any changes which may appear in the ECHA Guidance on intermediates when this is updated (not before 2011).
- Implement the necessary measures to complete the intermediate Registration Dossiers which may need to become substance Dossiers instead (e.g.: document waiving arguments and strategy, update Dossiers, pay substance Registration fee (higher than intermediates one), etc.).

For intermediates undergoing registration after 2010:

- Properly follow developments around the interpretation of strictly controlled conditions and regularly update in house documentation/evidence of strict control in light of evolving guidance.
- Actively communicate this likely change to their downstream users and customers.
- Jointly address the possibility of adjusting the substance and intermediates inventories and the impact such changes may have on the respective PMC project (e.g.: PGM project currently counts ~ 50 substances + ~ 18 intermediates) (not before 2011).
- Adjust the scope, resources and timing of PMC projects in light of evolving guidance.

4. Overall PM Refinables project progress: CLP physico-chemical tests and preparation of classification clusters

All samples but Slimes and sludges, precious metals refining (**AP5**) have been received by Harlan. Harlan has contacted the Sample providers if and when necessary, to complete the dataset of the substance or clarify any pending issue. The dataset accompanying each sample must be of high precision as per GLP requirements. PW reinstated on the importance of providing as much information as available with each sample sent to any test house.

The testing programme will be commenced on Friday 9 July. Progress reports will be sent to WCA regularly. Although samples have arrived later than expected, Harlan has not indicated any potential



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for delay and the preliminary/draft test results may still be received in time for the next PM Refiners WG meeting (i.e. end of August 2010). **AP6**

A proposal for the determination of the classification of each individual PM Refinable declared by the PMC Members has been received from ARCHE, reviewed with HW, EB and DC and accepted. All data has been sent to ARCHE, who has already populated a master file containing each PM Refinable, ready to undergo a classification determination. Following this, all individual classifications will be grouped according to similarity, in order to create classification clusters (and their associated boundaries) within each PM Refinable group. A preliminary outcome of this clustering exercise should be available for discussion at the next PM Refiners WG meeting (i.e. end of August 2010).

5. Coverage of primary streams **AP7**

6. Next meeting

The next PM Refiners WG meeting will take place in Brussels on 6 September 2010, starting at 9 am. Considering the amount of information that may require to be discussed, the meeting may be extended to more than one day. Potential participants are temporarily invited to block the 6 and 7 September in their Agendas.

Annexes

1. T/D test results from ECTX
2. Conclusions and recommendations of Hugo Waeterschoot on next steps
3. Updated summary of discussions on characterisation and classification of PM Refinables

Table 1. Actions agreed at 7 July 2010 PM Refiners WG progress conference call

	What?	Who?	By when?
1.	Update Strategy document with latest developments (24h and 7d T/D test results)	CB + HW	11 Jul 2010
2.	Report PSD and N-BET on samples characterised	Outotec	11 Jul 2010
	Report PSD and N-BET of material as placed on the market (especially for slags, matte leaching residue and materials for reclaim, PM with or without support)	Sample providers	W/c 2 Aug 2010
	Assess potential correlation between PSD, surface and release potential and possibility of refining classification to a lower level based on a more realistic worst case scenario	Outotec + ECTX + WCA + HW	Aug 2010
	Measure PSD and N-BET of material as placed on the market for future comparison/sameness check with Sample provider sample	Other Members	Before 1 Dec 2010
3.	Provide elemental composition and expected species of non-CMR type of slime and sludge	Heraeus	ASAP
4.	Provide recommendations on approach to be taken for intermediates which are not subject to a 2010 registration as regards the evolving guidance on strictly controlled conditions	HW + Eurométaux	Aug 2010
5.	Ensure arrival of slime and sludge sample to Harlan asap	Aurubis	ASAP
6.	Confirm reporting schedule and format (IUCLID 5.2?) with Harlan	PW	14 Jul 2010
7.	Revert to CB with following information: - Are primary streams properly covered by PM Refinables inventory? - Which entries have been used to cover PM Refinables resulting from primary streams?	All	14 Jul 2010